

eration, and am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendment: (1) Amend the bill by striking out the words and figures "one thousand (\$1,000.00) dollars" in Section 1 and insert in lieu thereof the words "five hundred (\$500.00) dollars."

WESTBROOK, Chairman.

NINTH DAY.

Senate Chamber,
Austin, Texas, Jan. 24, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Floyd.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	Woodward.

Absent—Excused.

Gibson.	Johnston.
Hall.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Hall for today and until next Tuesday on motion of Senator Bailey.

Senator Johnston for today and until next Tuesday on motion of Senator McNealus.

Senator Gibson for today and until Monday on account of important business on motion of Senator Caldwell.

Senator Hopkins was excused for today on account of important business, on motion of Senator Buchanan of Bell.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.

Simple Resolution No. 36.

Whereas, The Hon. C. W. Nugent, a former member of this Senate, is now in the Capitol; therefore be it

Resolved, That he be invited to address the Senate and extended the privileges of the floor.

McNEALUS,
SMITH
SUITER.

The resolution was read and adopted, and ex-Senator Nugent being escorted to the President's stand addressed the Senate briefly.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 24, 1919.

Lieutenant Governor W. A. Johnson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 1 (by Bledsoe et al.), A resolution proposing to amend the Constitution of the State of Texas by amending Article 16, Section 20 thereof, by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, barter or exchange, in the State of Texas, of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicants whatever except for medicinal, mechanical, scientific or sacramental purposes, and providing that the Legislature shall enact laws to enforce this section; providing that until the Legislature shall prescribe other or different regulations on the subject the sale of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicant whatever, for medicinal purposes, shall be made only in cases of actual sickness and then only upon prescription of a regular practicing physician, subject to certain regula-

tions with reference to the same; providing that this amendment shall be self-operative, and until the Legislature shall provide other or different penalties, the violation of any part of this constitutional provision shall be deemed a felony punishable by confinement in the penitentiary for a term of years specified, without the benefit of any law providing for suspended sentence; conferring authority upon the district courts and the judges thereof, under their equity powers, to issue upon suit of the Attorney General injunctions against infractions or threatened infractions of any part of this constitutional provision; providing that, without affecting the provisions herein, intoxicating liquors are declared to be subject to the general police power of this State; declaring that the Legislature shall have power to pass any additional prohibitory laws in aid thereof which it may deem advisable; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment, and prescribing certain rules and regulations with reference to the same; declaring that the provisions of the general election law shall govern in all respects as to qualification of electors and method of holding the election, and making certain provisions for the election and ballots thereof and method of voting; prescribing certain duties for the Governor of the State, and making an appropriation to carry out this resolution,

By a vote of 121 yeas and 1 nay.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Resolution Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after its caption had been read, the following:

H. J. R. No. 1, referred to the Committee on Constitutional Amendments.

Stenographers.

Following is the list of stenographers appointed by the Senators from the various districts, to-wit:

District No. 1, Miss Billie Rainey.

District No. 2, Miss Lillie Stout.

District No. 3, Miss Elizabeth Martin.

District No. 4, Miss Anna Cummins

District No. 5, Miss Leatrious Smith.

District No. 6, Mrs. Emma Moore.

District No. 7, Miss Elsie Rupert.

District No. 9, Miss Modena Stroud

District No. 10, Mrs. J. G. Fox.

District No. 11, Mrs. Nola Wood.

District No. 12, Miss Winnie Davis.

District No. 13, Oliver Aldrich.

District No. 14, Miss Mabel McGowen.

District No. 15, Edward W. Kilman.

District No. 16, Miss T. H. Bell.

District No. 17, Miss Annie McFarlane.

District No. 18, Miss Mary Odom.

District No. 19, Miss Ruth Cates.

District No. 20, Mrs. Alta Bramlette.

District No. 21, Miss Ruth Callaway.

District No. 22, Barney Byrne.

District No. 23, Miss Eva C. Poe.

District No. 24, Miss Eunice Mahaffy.

District No. 25, Miss Annie Donnelly.

District No. 26, Miss Cristine Swan.

District No. 27, Mrs. M. A. Seller.

District No. 28, Miss Charlotte Sturdivant.

District No. 29, Miss Ruth Cates.

District No. 30, W. Lillian Sims.

District No. 31, Dennis P. Ratliff.

Bills and Resolutions.

By Senator Dayton:

S. B. No. 118, A bill to be entitled

"An Act to provide for the purchase and distribution by the State of free text books to the public school children of the State of Texas, making it the duty of the State Board of Education to purchase such books from a fund set aside each year out of the available school fund of the State: providing the procedure to be followed in purchase of said books and their distribution through the State agencies or depositories which all parties with whom the State has made text book contracts are required to maintain, and through the district boards of school trustees or their legally appointed representatives; providing the method of ascertaining the scholastics for purposes of free text book distribution: pre-

scribing the duties of district boards of school trustees and of the State Board of Education and the State Superintendent of Public Instruction under the Act; providing for delivery to school trustees of books used previously to 1919, to give to the State the advantage of exchange price on books; providing that such books shall remain the property of the State and for the disposition of worn-out books; providing the method to be followed by teachers and principals in procuring books for their pupils; requiring teachers and school officers to make reports of their use, care and condition of such text books, and providing that the salary of any teacher or employe who neglects may be withheld; providing that the State Superintendent may make rules for the requisition, distribution, care, use and disposal of such books, and that the local boards and school trustees shall have the power to make rules for local application; providing for the placing of printed labels on such books and numbering the same and for the safe keeping of a record of all books issued to each pupil; providing for the fumigation of all books before re-issuance; authorizing the sale of books to parents and pupils and to institutions of learning; providing that all moneys accruing from the sale of books and from other sources shall become a part of the State text book fund; providing for the handling of complaints with reference to the prompt delivery of school books and for requisitions for supplementary books; providing that the State Superintendent of Public Instruction shall notify all persons holding contracts with the State for school books that the State has taken over the contracts under the terms thereof and in accordance with the laws of the State; fixing a penalty for a violation of the Act, and providing that the furnishing of the pupil with free text books shall not begin under this Act until the commencement of the scholastic year of 1919-20, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Carlock.

S. B. No. 119, A bill to be entitled "An Act to amend Article 1551, Chapter 9, Title 31, Revised Civil Statutes of Texas, of 1911, and also to amend Article 1627, Title 32,

Chapter 9, Revised Civil Statutes of Texas, 1911, so as to provide, in substance, that when the judgment of the lower court is affirmed or reversed and rendered, that the Court of Civil Appeals or the Supreme Court in which said suit is pending, shall at the same time render judgment against the party appealing, together with the sureties on the appeal, or Supersedeas Bond for the amount of the judgment so rendered, and providing that the said court shall make such disposition as to costs as may be deemed proper; to repeal all laws in conflict herewith, and declare an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Westbrook, Dean, Dayton, Suiter and Hopkins:

S. B. No. 120, A bill to be entitled "An Act to prevent the control of primary elections by the use of money, and to regulate and limit the expenditure of money to promote or defeat the candidacy of persons for nomination for office in primary elections in this State, and providing penalties for violation of this Act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bailey:

S. B. No. 121, A bill to be entitled "An Act to amend Article 839, Chapter 1, of the Code of Criminal Procedure of the State of Texas, approved March 31, A. D. 1911, and also to amend Article 2023, Chapter 17 of the Revised Civil Statutes of the State of Texas, approved April 1, A. D. 1911, both Articles having reference to the times of filing motions for new trial and in arrest of judgment, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Caldwell:

S. B. No. 122, A bill to be entitled "An Act to authorize and empower the Governor of the State of Texas to convey to the trustees of the First Methodist Episcopal Church, South, of Austin, Texas, the north one-half of block No. 124, of the City of Austin, prescribing the conditions of said conveyance and declaring an emergency."

Read first time and referred to

Committee on Public Lands and Land Office.

By Senator Caldwell:

S. B. No. 123, A bill to be entitled "An Act to amend Section 1 of Chapter 67, Special Laws of the Regular Session of the Thirty-fourth Legislature, approved March 22, 1915, creating and defining the boundaries of the Burnet Independent School District in Burnet County, Texas, and to add to said Chapter Sections 2a and 2b validating an order passed by the commissioners court of Burnet County, Texas, changing the boundaries of the Burnet Independent School District so as to embrace the same territory described in this Act, and validating a bond election heretofore held in said district, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Dean:

S. B. No. 124, A bill to be entitled "An Act to provide the method of selecting a special venire in counties other than those having the wheel system, for the selection of juries, by adding to Revised Code of Criminal Procedure a new article to be known as Article 660a."

By Senator Hertzberg:

S. B. No. 125, A bill to be entitled "An Act to amend Sections 3 and 7 of Chapter 32 of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, so as to regulate the pay of road hands and teams, and road overseers of Gillespie County, Texas, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators Hertzberg and Faust:

S. B. No. 126, A bill to be entitled "An Act to create a State Board of Public Welfare and to define its powers and duties."

Read first time and referred to Committee on State Departments and Institutions.

Amendments to Committee Reports.

By unanimous consent, Senator Dean offered the following amendments to committee reports filed today, as follows:

(S. B. No. 116.)

Amend committee report on Senate Bill No. 116, by striking out the words "and that it be printed in the Journal," and insert in lieu thereof the words "and that it be not printed."

(S. B. No. 117.)

Amend committee report of Senate Bill No. 117, by striking out the words "and that it be printed in the Journal," and insert in lieu thereof the words "and that it be not printed."

The amendments were read and adopted severally.

Morning call concluded.

Senate Concurrent Resolution No. 10.

Whereas, The Texas Flag Law places upon the State Superintendent of Public Instruction the responsibility of issuing to the schools instructions in regard to the details of the observance of the law, and

Whereas, Intelligent care of the flag is a part of the lesson of patriotism, since the flag is to the child the symbol of his love of his country, and

Whereas, The Superintendent of Public Instruction is in hearty accord with the desire of certain members of the Legislature to preserve the flags now the property of the schools, and not to represent the patriotic feeling of our nation by tattered and discolored emblems on the school houses of our State; therefore, be it

Resolved, That it is the wish of the people of Texas through their representatives in the Texas Legislature, that the State Superintendent of Public Instruction shall include, in instructions to city and county superintendents, provisions requiring the flag of each schoolhouse to be kept within doors, to be displayed on the exterior of the building only in good weather on suitable occasions, and at such regular intervals as may be desirable, at the same time providing for such regular use of the flag in patriotic exercises as may inspire in the children of the State the proper reverence and enthusiasm for the Star Spangled Banner of the greatest Republic in the world.

SMITH.

The resolution was read and referred to the Committee on Educational Affairs.

Senate Bill No. 15.

The Chair laid before the Senate on second reading, as pending business:

S. B. No. 15, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 77, providing for the creation of private corporations for the establishment and maintenance of garages, with authority to purchase, sell, store, house, rent, repair and otherwise deal in automobiles and other motor vehicles and their accessories, gasoline and oils necessary in the operation of motor vehicles of all kinds (except aeroplanes) for the carriage of passengers and freight, either or both, and to make reasonable charges therefor."

The question being upon the amendment of Senator Suiter as follows:

Amend Senate Bill No. 15 by striking out all after the comma in line 25, page 1 of the printed bill, and correcting the caption to correspond.

The amendment was withdrawn.

Senator Carlock offered the following amendment which was read and adopted:

(1) Amend Senate Bill No. 15 by adding after the word "rent" in line 23, page 1, the word "operate" and strike out all after the word "vehicles" in said bill in line 25.

Senator Dorrough offered the following amendments which were read and adopted, seriatim:

(2) Amend Senate Bill No. 15 by adding thereto Section 2 as follows:

"Section 2. The importance of this legislation and the fact that this is a regular session of the Legislature at which the calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each House be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(3) Amend the caption of the bill

by adding after the word "therefor" in line 16, the following "and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dorrough, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 15 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Hertzberg.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Parr.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Williford.
Dean.	Witt.
Dorrough.	Woods.
Dudley.	

Absent.

Caldwell.	Westbrook.
McNealus.	Woodward.

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

Senate Bill No. 60.

The Chair laid before the Senate on second reading:

S. B. No. 60, A bill to be entitled "An Act limiting the hours for duty for regular paid firemen belonging to fire departments in cities of 15,000 inhabitants or more, and providing for the adoption of the 'double platoon' system; providing penalties for the violation of the Act, and repealing all laws and parts of laws in conflict with the Act, and declaring an emergency."

Senator Carlock offered the following amendment, which was read and adopted:

(1) Amend Senate Bill No. 60 by adding after the word "system," line 16, page 1, the following:

"Provided that the provisions of this Act shall not apply to cities having a population of 70,000 or over,

according to the United States census of 1910, unless the provisions of this Act shall be adopted by a resolution duly passed and spread of record upon the minutes of such city by the Board of Commissioners or the other governing authorities thereof, and in the event of such acceptance of the provisions of this Act that all the terms and provisions hereof shall be applicable as to such city or cities."

Senator Dudley offered the following amendment, which was read and adopted:

(2) Amend the bill by adding after Section 5 thereof the following:

"Sec. 6. All laws and parts of laws in conflict herewith be, and the same are hereby, repealed to the extent of such conflict."

Amend the bill by changing Section 6 to Section 7.

Senator Carlock offered the following amendment, which was read and adopted:

(3) Amend the caption to Senate Bill No. 60 by adding after the semicolon and the word "system," line 9, page 1, the following:

"Providing this Act shall not apply to cities of over 70,000 population, according to United States census of 1910, unless adopted by the Board of Commissioners or other governing authority of such cities."

The bill was read second time, and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 60 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Smith.
Carlock.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.

Present—Not Voting.

Buchanan of Bell.

Absent.

Clark.	Parr.
Page.	Woodward.

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed finally.

Senate Bill No. 24.

The Chair laid before the Senate on second reading:

S. B. No. 24, A bill to be entitled "An Act providing that the interest of a mortgagee or trustee under any fire insurance policy shall not be invalidated by any act or neglect of the mortgagor or owner of the property insured by said policy or the happening of any condition beyond his control, and declaring void any stipulation in any fire insurance contract in conflict herewith."

Senator Dorrough offered the following amendments, which were read and adopted seriatim:

(1) Amend Senate Bill No. 24 by adding thereto Section 2, as follows:

"Sec. 2. The importance of this legislation and the fact that this is a regular session of the Legislature at which the Calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each house be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2) Amend the caption of Senate Bill No. 24 by adding after the word "will" in line 12 the following:

"and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Dorrough, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 24 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Carlock.
Bailey.	Clark.
Bell.	Cousins.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dean.
Caldwell.	Dorough.

Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Williford.
Hertzberg.	Witt.
Parr.	Woods.
Smith.	Woodward.
Strickland.	

Absent.

McNealus.	Page.
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Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

Senate Bill No. 44.

The Chair laid before the Senate on second reading:

S. B. No. 44, A bill to be entitled "An Act to amend Sections 1 and 2 of an Act approved April 4, 1917, Chapter 192, S. B. No. 167, entitled 'An Act to provide whole family protection for members of fraternal benefit societies,' and declaring an emergency."

The bill was read and, on motion of Senator Smith the same was laid on the table subject to call.

Senate Bill No. 25.

The Chair laid before the Senate on second reading:

S. B. No. 25, A bill to be entitled "An Act forfeiting the interest of any beneficiary under a life insurance policy or contract when the beneficiary is the principal or accomplice in willfully bringing about the cause of death of the insured."

Senator Dorrough offered the following amendments, which were read and adopted severally:

(1) Amend Senate Bill No. 25 by adding thereto Section 2, as follows:

"Sec. 2. The importance of this legislation and the fact that this is a regular session of the Legislature at which the Calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each house be suspended, and the same is

hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2) Amend the caption of Senate Bill No. 25 by adding after the word "insured" in line 9 the following:

"and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Dorrough, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 25 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Hertzberg.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Smith.
Carlock.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Present—Not Voting.

Parr.	Woodward.
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Absent.

Caldwell.	Page.
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Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

Senate Bill No. 26.

The Chair laid before the Senate on second reading:

S. B. No. 26, A bill to be entitled "An Act providing that suicide of the insured shall be no defense to any suit brought upon policies of insurance upon the life of the insured, issued by any life insurance company, fraternal or other organization, corporation, association of persons, firm or partnership, unless it shall be shown to the satisfaction of the court or jury trying same that the insured contemplated suicide at the time he

made his application for a policy, and providing that any stipulation to the contrary in the policy or contract or by-laws of any such life insurance company, fraternal or other organization, corporation, association of persons, firm or partnership, shall be void."

Senator Dorrough offered the following amendments, which were read and adopted severally:

(1) Amend Senate Bill No. 26 by adding thereto Section 2, as follows:

"Sec. 2. The importance of this legislation and the fact that this is a regular session of the Legislature at which the Calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each house be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2) Amend the caption of Senate Bill No. 26 by adding after the word "void" in line 16 the following:

"and declaring an emergency."

Senator Williford offered the following amendment, which was read and adopted:

(3) Amend Senate Bill No. 26, lines 22, 23 and 24, by striking out the following words, "unless it be shown to the satisfaction of the court or jury trying the same that the insured contemplated suicide at the time he made his application for the policy."

Senator Witt offered the following amendment, which was read and adopted:

(4) Amend Senate Bill No. 26 as amended by adding after word "State" in line 21 the following, "when said policy has been in force for a period of six months."

The bill was read second time, and passed to engrossment.

On motion of Senator Dorrough, the constitutional rule requiring bills to be read on three several days was suspended and Senate bill No. 26 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Buchanan of Scurry.
Bailey.	Caldwell.
Bell.	Carlock.
Buchanan of Bell.	Clark.

Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Williford.
Hertzberg.	Witt.
McNealus.	Woods.

Present—Not Voting.

Woodward.

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

Senator Dorrough moved to rescind the vote by which Senate Bill No. 26 was passed finally.

The motion prevailed unanimously.

Senator Dorrough then offered the following amendment:

(5) Amend the caption of Senate Bill No. 26 by striking out after the word "partnership" in line 10 beginning with the word "unless" in line 11 and to and including the word "policy" in line 13, and add after the word "void" in line 16 the words "when said policy has been in force for a period of six months," and insert same before the word "and declaring an emergency."

The amendment was read and adopted by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Hertzberg.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Smith.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Present—Not Voting.

Strickland.

Absent.

Caldwell.	Woodward.
Parr.	

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

Resolution Signed.

The Chair, Lieutenant-Governor Johnson, gave notice of signing, and did sign in the presence of the Senate, after its caption had been read, the following:

H. C. R. No. 6, authorizing Superintendent of Public Buildings and Grounds to permit Oscar Raines to establish a cigar store in the new Land Office Building.

Senate Bill No. 31.

The Chair laid before the Senate on second reading

S. B. No. 31, A bill to be entitled "An Act to require fire prevention and the relation of fire prevention to the conservation of life and property and to the cost of fire insurance, taught in the public schools of this State, and also in all other schools conducted in the State in which instruction is given corresponding in grade and advancement to that given in the public schools; providing that the teaching of fire prevention shall include the practice of fire drills, and prescribing the duties of the State Superintendent of Public Instruction and the Texas State Text Book Commission in the administration of said Act."

The bill was read second time and passed to engrossment.

Senate Bill No. 47.

The Chair laid before the Senate on second reading:

S. B. No. 47, A bill to be entitled "An Act to amend Article 862, of the Code of Criminal Procedure of the State of Texas, by providing that in case of two or more convictions of the same defendant, the court may either provide in rendering judgment and sentence that the punishment provided shall be either concurrent or cumulative."

By unanimous consent and on motion of Senator Bailey, the bill was laid on the table subject to call.

Senator Woods called up the bill

and the same was read and ordered engrossed.

Senate Bill No. 7.

The Chair laid before the Senate on second reading:

S. B. No. 7, A bill to be entitled "An Act to amend Article 790 of the Code of Criminal Procedure, relating to defendants testifying in criminal cases, and declaring an emergency."

Senator Bailey offered the following amendment:

(1) Amend the bill by striking out the enacting clause in line 10, page 1, of the printed bill.

BAILEY.

The amendment was read and adopted.

Senate Concurrent Resolution No. 6.

The Chair laid before the Senate on second reading:

S. C. R. No. 6, relating to the removal of the general offices and shops of the International and Great Northern Railroad from Palestine, while the same are under direction of Director General of the Government.

The resolution was read and ordered engrossed.

Senator Strickland moved that the vote by which the resolution was ordered engrossed be rescinded and that the resolution be recommitted to the Committee on Federal Relations.

The motion prevailed and the resolution was accordingly referred.

Senate Bill No. 116.

The Chair laid before the Senate on second reading:

S. B. No. 116, A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able-bodied citizens of Fayette County who are between the ages of 21 and 60 years; providing the manner of assessment and collection of said tax and further providing for a penalty for failure or refusal to pay said tax; repealing all laws in conflict therewith, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Smith.
Carlock.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Absent.

Bell.	Parr.
Page.	Woodward.

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 116 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Smith.
Carlock.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Absent.

Bell.	Parr.
Page.	Woodward.

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Clark, was passed by the following vote:

Yeas—23.

Alderdice.	Bell.
Bailey.	Buchanan of Bell.

Buchanan of Scurry.	Floyd.
Caldwell.	Hertzberg.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Present—Not Voting.

McNealus.

Absent.

Page.	Woodward.
Parr.	

Absent—Excused

Gibson.	Hopkins.
Hall.	Johnston.

Senate Simple Resolution No. 37.

(By unanimous consent.)

Whereas, The printing of the manual is delayed because of the fact that we have not adopted rules for the government of the body of this session; therefore, be it

Resolved by the Senate, That we request the Committee on Rules to at once make a report, so we can adopt permanent rules for the government of the Senate, and permanent joint rules, in order that the manual may be printed.

DAYTON.

The resolution was read and adopted.

Senate Bill No. 117.

The Chair laid before the Senate on second reading:

S. B. No. 117, A bill to be entitled "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23rd day of March, 1911, by adding to said Act Section 17, providing that the funds hereafter derived from any county road tax or from the sale of any county road bonds, and not such funds as have been provided by elections in precincts or defined districts, shall be prorated between the commissioner's precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the

precinct bears to the whole amount so collected or obtained by the county, and the commissioners' court shall require the county treasurer to keep a separate account for each commissioner's precinct of said county of all the road funds so arising or obtained by the county, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Hertzberg.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Smith.
Caldwell.	Strickland.
Carlock.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dudley.	Woods.

Absent.

Clark.	Parr.
Dorough.	Woodward.
Page.	

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 117 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Dudley.
Bailey.	Faust.
Bell.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Smith.
Carlock.	Strickland.
Clark.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.

Absent.

Page.	Woodward.
Parr.	

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Smith.
Carlock.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.

Absent.

Bell.	Parr.
Clark.	Woodward.
Page.	

Absent—Excused.

Gibson.	Hopkins.
Hall.	Johnston.

House Concurrent Resolution No. 1.

The Chair laid before the Senate on second reading:

H. C. R. No. 1, endorsing President Wilson's fourteen points as a basis of peace.

The resolution was read and adopted by the following vote:

Yeas—18.

Alderdice.	Hertzberg.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Smith.
Carlock.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.

Nays—5.

Caldwell.	McNealus.
Clark.	Parr.
Dudley.	

Present—Not Voting.

Bailey.	Cousins.
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Absent.

Bell.

Woodward.

Absent—Excused.

Gibson.
Hall.Hopkins.
Johnston.**Simple Resolution No. 38.**

Resolved, That all pleading in the contest now pending before the Committee on Privileges and Elections and all amendments thereto that may be filed from time to time shall be printed in the Senate Journal, and

Resolved further, That the stenographers reporting the evidence in such contest shall be instructed to furnish to the Journal Clerk daily copy of all evidence introduced, which shall be printed in the Senate Journal.

Caldwell, Dorough, Westbrook, Dean, Bailey, Carlock, Dayton, Hertzberg, Dudley, Bell, Williford, McNealus, Witt, Smith, Cousins Alderdice, Suiter.

The resolution was read and Senator Caldwell moved its adoption.

Senator Bailey raised the point of order that the resolution contemplates a change in the rules of the Senate and should be referred to the Committee on Rules.

The point of order was overruled.

Senator Bailey moved that the resolution lie over for one day and this motion prevailed.

Adjournment.

At 12:35 o'clock, the Senate, on motion of Senator Bailey adjourned until 10 o'clock next Monday morning.

APPENDIX.**Engrossing Committee Reports.**

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 39 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, January 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 18 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 16 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 38 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, January 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 14 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, January 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 40 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room.

Austin, Texas, January 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Engrossed Bills have had Senate Bill No. 48 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Jan. 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Military Affairs, to which was referred

S. B. No. 77, entitled "An Act to provide for the teaching of United States infantry drill tactics in certain schools of this State."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

WITT, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate Bill No. 103,

Have had same under consideration, and I am directed to report it back to the Senate with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate Bill No. 118.

Have had the same under consideration, and I am directed to report it back to the Senate with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 117, "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23d day of March, 1911, by adding to said Act Section 17, providing that the funds hereafter derived from any county road tax, or from the sale of any county road bonds, and not such funds as have been provided by election in precincts or defined districts, shall be prorated between the commissioner's precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the precinct bears to the whole amount so collected or obtained by the county, and commissioners' court shall require the county treasurer to keep

a separate account for each commissioner's precinct of said county of all road funds so arising or obtained by the county, and declaring an emergency,"

Beg leave to report that we have had the bill under consideration, and I am instructed to report the bill favorably with recommendation that it do pass, and that it be printed in the Journal.

WOODS, Chairman.

Committee Room,

Austin, Texas, Jan. 23, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 116, A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able bodied citizens of Fayette County who are between the ages of 21 and 60 years; providing the manner of assessment and collection of said tax, and further providing for a penalty for failure or refusal to pay such tax; repealing all laws in conflict herewith, and declaring an emergency,"

Beg leave to report that we have had the bill under consideration, and I am instructed to report the bill favorably with recommendation that it do pass, and that it be printed in the Journal.

WOODS, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 80, A bill to be entitled "An Act to amend Section 6 of Chapter 73, of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, relating to and increasing the compensation to be paid Tax Collectors for their services in the collection of motor vehicle and motorcycle taxes and licenses,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendment, "and declaring an emergency."

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1919.
Hon. W. A. Johnson, President of the
Senate.

Sir: We, your Committee on
Finance, to whom was referred

S. B. No. 112, A bill to be entitled
"An Act making an appropriation of
one million (\$1,000,000) dollars to
the available school fund of the State
of Texas for the scholastic year be-
ginning September 1, A. D. 1918, and
ending August 31, A. D. 1919, and
providing for the method of its dis-
tribution, and declaring an emer-
gency,"

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1919.
Hon. W. A. Johnson, President of the
Senate.

Sir: We, your Committee on
Finance, to whom was referred

S. B. No. 68, A bill to be entitled
"An Act to make a supplemental ap-
propriation of \$3500.00 for the sup-
port and maintenance of the Dairy
and Food Department for the fiscal
year ending September 1, 1919, and
declaring an emergency,"

Have had the same under consider-
ation, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1919.
Hon. W. A. Johnson, President of the
Senate.

Sir: We, your Committee on
Finance, to whom was referred

S. B. No. 28, A bill to be entitled
"An Act to authorize the appoint-
ment of a joint committee from the
Senate and House to make a careful
and thorough investigation into the
subject of taxation, its methods and
results, for the purpose of devising
and reporting to the Legislature of
this State plans, methods, forms,
amendments and bills providing a
more just, equitable, economical and
effective system of taxation for the
State, its counties and municipali-
ties,"

Have had the same under consider-
ation, and I am instructed to report

the same back to the Senate with the
recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 22, 1919.
Hon. W. A. Johnson, President of the
Senate.

Sir: Your Committee on Civil
Jurisprudence, to whom was re-
ferred

S. B. No. 87, A bill to be entitled
"An Act to amend Sections 1, 2 and 4
of an Act to provide for the printing,
publication and sale of the reports of
the decisions of the Supreme Court,
Court of Criminal Appeals and the
Courts of Civil Appeals, of the State
of Texas, Chapter 30 of the Acts of
the Thirty-third Legislature, ap-
proved March 20, 1913, and also to
amend Article 1572 of Chapter 12,
and to repeal Article 1651 of Chap-
ter 13, of the Revised Civil Statutes,
A. D. 1911, concerning said reports,
with a repealing clause, and declar-
ing an emergency,"

Has had said bill under considera-
tion, and I am directed to report the
same back to the Senate with the
recommendation that it do pass.

DEAN, Chairman.

Enrolling Committee Report.

Committee Room,
Austin, Texas, Jan. 23, 1919.
Hon. W. A. Johnson, President of the
Senate.

Sir: Your Committee on Enrolled
Bills have had Senate Concurrent
Resolution No. 9 carefully compared,
and find the same correctly enrolled.

SMITH, Chairman.

TENTH DAY.

Senate Chamber,
Austin, Texas, Jan. 27, 1919.
The Senate met at 10 o'clock a. m.,
pursuant to adjournment, and was
called to order by Lieutenant Gov-
ernor W. A. Johnson.

The roll was called, a quorum be-
ing present, the following Senators
answering to their names:

Alderdice.	Carlock.
Bell.	Clark.
Buchanan of Bell.	Cousins.
Buchanan of Scurry.	Dayton.
Caldwell.	Dorough.